

LEGISLATIVE BILL 487

Approved by the Governor April 2, 1985

Introduced by DeCamp, 40; Labedz, 5

AN ACT relating to insurance; to amend section 83-368, Reissue Revised Statutes of Nebraska, 1943; to prohibit certain insurers from denying payment for treatment of mental or nervous disorders as prescribed; to include health insurance as a factor to consider in determining a patient's ability to pay for care; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. No insurance company, hospital service corporation, health maintenance organization, or other health insurance provider shall deny payment for treatment of mental or nervous disorders under a policy, contract, certificate, or other evidence of coverage issued or delivered in Nebraska on the basis that the hospital or state institution licensed as a hospital by the Department of Health and described in subdivision (2) of section 71-2017.01 providing such treatment is publicly funded and charges are reduced or no fee is charged depending on the patient's ability to pay.

Sec. 2. That section 83-368, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

83-368. The department shall determine the ability of a patient to pay by consideration of the following factors: (1) Taxable income reportable under Nebraska law; (2) the patient's age; (3) the number of his or her dependents and their ages and mental and physical conditions; (4) the patient's length of care or treatment; (5) his or her liabilities; and (6) his or her assets including health insurance coverage.

Sec. 3. That original section 83-368, Reissue Revised Statutes of Nebraska, 1943, is repealed.